

Chief Judge Robert S. Lasnik

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

KENNETH STONE,
DEBRA L. STONE and
GEORGE CORRELL,

Defendants.

Case No. CR04-251L

STIPULATED ORDER
CONTINUING TRIAL DATE

On November 14, 2005, this Court conducted a status conference to determine a trial date. Based on the records and files herein and the stipulated representations of defense counsel and the government, the Court finds that:

1. The trial in this matter was scheduled to begin on November 14, 2005.
2. Counsel for Kenneth Stone, John Crowley, was not available to begin trial on this date because he is presently involved in a jury trial in the matter of State v. Preston Traxler, 04-1-00389-6, a homicide case in King County Superior Court, the Honorable Judge McBroom presiding. That trial is not expected to finish for a few more days.
3. This Court proposed a trial date to begin on December 5, 2005, before another District Judge, with an expectation that it would conclude on December 8, 2005. Counsel for Mr. Correll was not available to begin trial

1 on December 5, 2005, but was available to start on December 6, 2005.

2 Three trial days was not deemed sufficient time to complete this case.

3 Further, counsel for Ms. Stone indicated her preference to keep the trial in
4 front of this Court.

5 4. This Court proposed a trial date to begin on January 3, 2005.

6 5. At the status conference, after having conferred with their respective
7 counsel, defendants Kenneth Stone, Debra Stone and George Correll each
8 represented to the Court that they understood the reasons for the
9 continuance and stipulated to the need for a continuance. They agreed to a
10 trial date of January 3, 2005.

11 6. The government consents to the continuance.

12 7. The ends of justice outweigh the best interests of the public and the
13 defendants in a speedy trial. Failure to grant a continuance would have
14 denied continuity of counsel for Defendant Kenneth Stone, whose counsel
15 was handling a jury trial in another case. Further, rescheduling the trial for
16 January 3, 2006, ensures that counsel will be fully prepared to represent his
17 client in court.

18 8. None of the defendants is in custody pending the trial in this matter.

19 For all the foregoing reasons, IT IS HEREBY ORDERED, *nunc pro tunc*, that the
20 trial date is continued from November 14, 2005, to January 3, 2006.

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1 IT IS FURTHER ORDERED that pursuant to Title 18, United States Code,
2 Section 3161(h), the period of time from the date of the status conference on November
3 14, 2005, to the new trial date shall be excluded in the computation of time under the
4 Speedy Trial Act.

5 DATED this 28th day of November, 2005.

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8 Robert S. Lasnik
9 United States District Judge

9 Presented by:

10 s/ Janet Freeman

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